

RECEIPT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re the application of:** Vincent Ling, et al

**Serial No.:** 10/085,906

**Filed:** February 27, 2002

**For:** Polymorphic Elements in the Costimulatory  
Receptor Locus and uses Thereof

**Attorney Docket No.:** GNN-5343CP2

**Group Art Unit:** 1634

**Examiner:** Not Yet Assigned

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**Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231**

**REQUEST FOR CORRECTION OF FILING RECEIPT**

Dear Sir:


Applicants request the Filing Receipt of the above-referenced application be amended to correct the Domestic Priority data as claimed by applicant. In the Domestic Priority data field, please replace the following:

*"This Application is a CIP of 09/534,061 03/24/2000 ABN which claims benefit of 60/126,215 03/25/1999"*

**with**

*--This Application is a CIP of 09/534,061 03/24/2000 ABN which claims benefit of 60/126,215 03/25/1999,  
which correspond to International Application Serial No. PCT/US00/07938 (Publication No. WO 00/56856)  
03/24/2000--*

A copy of the Filing Receipt with this change noted in red is submitted, along with Page 1. of the Specification as filed with the Domestic Priority Data underlined in red. Since this error was made on the part of the U.S. Patent and Trademark Office, no fees are believed due to effect the requested correction. However, if fees are due in connection with this Request, please charge them to our Deposit Account No. 12-0080. A duplicate of this sheet is enclosed.

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September 26, 2002	
Date	
	
Megan E. Williams	Reg. No. 43,270

Date: September 26, 2002

Respectfully submitted,

LAHIVE & COCKFIELD, LLP



Megan E. Williams, Esq.  
Registration No. 43,270  
Attorney for Applicants



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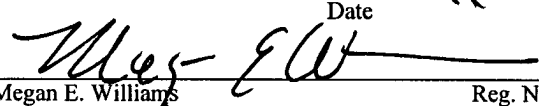
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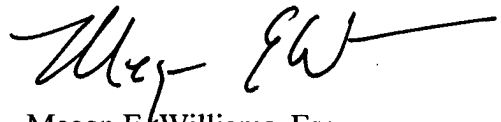
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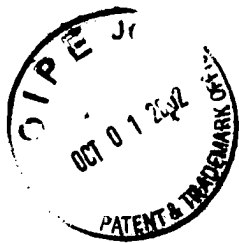
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Re: U.S. Continuation-in-Part Application Serial No. 10/085,906  
Title: *Polymorphic Elements in the Costimulatory  
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Filed: February 27, 2002  
Inventors: Vincent Ling, et al.  
Our Ref.: GNN-5343CP2

Dear Sir:

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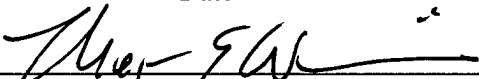
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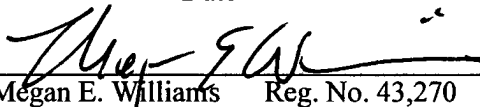
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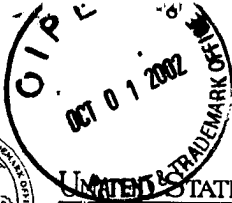
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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/085,906	02/27/2002	1634	1038	GNN-5343CP2	7	14	5

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

**CONFIRMATION NO. 5219**  
**UPDATED FILING RECEIPT**



\*OC00000008720502\*

Date Mailed: 09/03/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

Vincent Ling, Walpole, MA;  
Paul Wu, Cambridge, MA;  
Gary S. Gray, Brookline, MA;

**Assignment For Published Patent Application**

Genetics Institute, Inc., Cambridge, MA;

**Domestic Priority data as claimed by applicant**

THIS APPLICATION IS A CIP OF 09/534,061 03/24/2000 ABN  
WHICH CLAIMS BENEFIT OF 60/126,215 03/25/1999 *which*  
*correspond to PCT/US00/07938 03/24/00.*

**Foreign Applications**

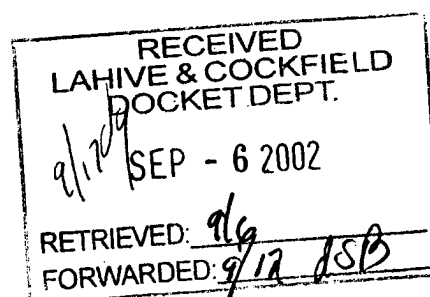
If Required, Foreign Filing License Granted 05/02/2002

Projected Publication Date: 12/12/2002

Non-Publication Request: No

Early Publication Request: No

Title

**ENTERED**

Polymorphic elements in the costimulatory receptor locus and uses thereof

**Preliminary Class**

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

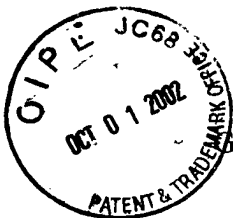
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



BNN-5343CP2

## POLYMORPHIC ELEMENTS IN THE COSTIMULATORY RECEPTOR LOCUS AND USES THEREOF

### 5 **Cross-Reference to Related Applications**

This application claims priority to provisional application serial number 60/126,215, entitled "Polymorphism of CTLA-4 and Uses Thereof," filed on March 25, 1999. This application is a continuation-in-part of USSN 09/534,061, filed on March 24, 2000, which corresponds to International Application Serial No.

10 PCT/US00/07938 (Publication No. WO 00/56856) filed March 24, 2000. The entire contents of these applications are incorporated herein by reference. Attached hereto is Appendix A containing materials related to this application. The entire contents of this appendix is hereby incorporated by reference.

### 15 **Background of the Invention**

In order for T cells to respond to foreign proteins, two signals must be provided by antigen-presenting cells (APCs) to resting T lymphocytes (Jenkins, M. and Schwartz, R. (1987) *J. Exp. Med.* 165, 302-319; Mueller, D.L., et al. (1990) *J. Immunol.* 144, 3701-3709). The first signal, which confers specificity to the immune response, is transduced via the T cell receptor (TCR) following recognition of foreign antigenic peptide presented in the context of the major histocompatibility complex (MHC). The second signal, termed costimulation, induces T cells to proliferate and become functional (Lenschow et al. 1996. *Annu. Rev. Immunol.* 14:233).

Costimulation is neither antigen-specific, nor MHC restricted and is thought to be provided by one or more distinct cell surface molecules expressed by APCs (Jenkins, M.K., et al. 1988 *J. Immunol.* 140, 3324-3330; Linsley, P.S., et al. 1991 *J. Exp. Med.* 173, 721-730; Gimmi, C.D., et al., 1991 *Proc. Natl. Acad. Sci. USA.* 88, 6575-6579; Young, J.W., et al. 1992 *J. Clin. Invest.* 90, 229-237; Koulova, L., et al. 1991 *J. Exp. Med.* 173, 759-762; Reiser, H., et al. 1992 *Proc. Natl. Acad. Sci. USA.* 89, 271-275; van-Seventer, G.A., et al. (1990) *J. Immunol.* 144, 4579-4586; LaSalle, J.M., et al., 1991 *J. Immunol.* 147, 774-80; Dustin, M.I., et al., 1989 *J. Exp. Med.* 169, 503; Armitage, R.J., et al. 1992 *Nature* 357, 80-82; Liu, Y., et al. 1992 *J. Exp. Med.* 175, 437-445).



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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/085,906	02/27/2002	Vincent Ling	GNN-5343CP2

CFR

CONFIRMATION NO. 5219

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\*OC000000008943728\*


Date Mailed: 10/11/2002

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

### Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- ☒ Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.
- ☐ A claim for priority cannot be made based on an application filed after the application making the claim.
- ☐ Domestic and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 USC 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order:  
**Country, Application number, Filing date.**



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